

## SETTLERS WIN OVER SOONERS

Acting Secretary of Interior Reynolds Gives Out Important Decision.

## ORIGINAL HOLDERS GET FIRST CHOICE

Controversy Over Possession of the Fortified Homesteads in O'Brien County, Iowa, Comes to a Focus.

WASHINGTON, Aug. 10.—(Special Telegram.)—The first round in the fight over 22,000 acres of land in O'Brien County, Iowa, to which was returned to the United States by the decision of the supreme court of the United States in October last, was decided by Assistant Secretary of the Interior Reynolds today. The matter came before him on application of Emory Marker and eighty-eight others to compel the commissioner of the general land office to allow their applications to enter the land prior to February 27 last, the date set for the filing of applications and proof of settlement by settlers already on the land. These "sooners" assert that title was vested in the government on the day of the decision by the supreme court and that the lands were subject to entry on that date. The acting secretary holds that a decision of the court does not necessarily restore lands to settlement on the same day that it is rendered and that the secretary had ample authority for setting a date for receiving the applications and proof of settlement. He therefore denies the application filed by the applicants for certiorari on the ground that they assigned no good reason for overturning the decisions of the commissioner and local officials.

The acting secretary also rendered decisions in the following cases: Nebraska—David W. Hall against B. B. Anderson, referee, McCook district; Dewey's entry for review denied on the ground that he failed to take steps to protect his right; Hall's entry will be cancelled. Frank B. Anderson against Michael McCarty, Lincoln district; McCarty's motion for a rehearing denied on the ground that no new evidence is offered for consideration.

South Dakota—Flennon A. Coffield against T. N. Herzh, Mitchell district; commissioner's decision reversed; Borgia's entry held for cancellation. John Walsh against Ephraim Sherwood, Pierre district; decision affirmed. Sherwood's timber culture entry cancelled.

Comptroller Eckels today gave out an abstract of the reports of the condition on July 1 of the eleven national banks of Wyoming. It shows total resources of \$3,214,718, loans and discounts being \$1,824,760 and reserve on hand and deposited with reserve agents \$486,478, of which \$10,536 was gold. The deposits amounted to \$1,555,770 and the surplus fund and undivided profits to \$174,271. The average reserve held was 26.66 per cent.

The comptroller has approved the First National bank of St. Paul as reserve agent for the American National bank of Deadwood, S. D.

T. A. Magath was today appointed postmaster at Hocking, Sweetwater county, Wyo. Vice C. R. Kelley removed. Lieutenant Colonel Alfred A. Woodhull, deputy surgeon general, and Major Charles Smart, surgeon, were ordered to report to the meeting of the American Hospital association at Buffalo, N. Y., September 15. First Lieutenant Henry A. Shaw, assistant surgeon, has been ordered to Fort Brady, Mich. for temporary duty.

Captain James S. Pettit, First Infantry, is detailed to the command of the National Guard of Connecticut at Hartford, Conn., from the 17th to the 22d of August.

Leaves of absence: Colonel George C. Hunt, Second cavalry, two months; First Lieutenant John H. Beaton, Third Infantry, four months, with permission to go abroad. Private Cornelius C. Kearney, company B, Second Infantry, now at Fort Harrison, Mont., is transferred to the Twenty-second Infantry, and will be sent to the front with that regiment. Fort Crook, Neb., for assignment to a company.

Not Admiral Foote's Grandson. WASHINGTON, Aug. 10.—The dispatch from Utica, N. Y., stating that the grandson of Rear Admiral Foote was under arrest for grand larceny reveals the fact that some one there for some time has been using Admiral Foote's name as a revoler. Admiral Foote has no grandson, except two grandsons under 10 years of age and now living in Cleveland with their parents. The real identity of the Utica impostor is unknown here.

Condition of the Gold Reserve. WASHINGTON, Aug. 10.—Today's statement of the condition of the treasury shows: Available cash balance, \$250,302,203; gold reserve, \$108,666,991. Withdrawals of gold from the treasury today aggregated \$418,200, made up of \$394,100 for hoarding in coin and \$24,100 in bars for use in the arts. The gold balance at the close of business stood at \$107,908,604.

Corn Makes a Good Gain. WASHINGTON, Aug. 10.—The agricultural department grain report for August shows: Corn, condition, 96, a gain during July of 4.6 points; wheat, 78.9, a decline of 1.4 points; and oats, 77.35, or 19 points loss.

Iron Works Resume Operations. MUNCIE, Ind., Aug. 10.—The Indiana Iron works and the Midland Steel works, Muncie's largest iron and steel industries, which have been idle for several weeks, will resume with nearly a whole quota, 600 each. The puddling furnace at the Indiana will start Tuesday and the finishing mill single turn. The nut and bolt works department will not resume at this time, as it is necessary to have the entire plant at the Midland Steel works with the companies claim that the prospects for business are not very bright, and they know not how long the run will last.

Movements of Ocean Vessels, Aug. 10. At New York—Arrived—Ethiopia, from Glasgow; Nomadic, from Liverpool. At Cleveland—Arrived—Parisian, from Montreal. At Bremerhaven—Arrived—H. H. Meyer, from New York. At Sydney, N. S. W.—Sailed (August 10)—Meyers, for New York. At Cherbourg—Sailed—Aller, from Bremen for New York.

## MADRID AUTHORITIES CAUTIOUS.

Have Not Yet Sent the Monroe Doctrine Note to the Powers.

MADRID, Spain, Aug. 10.—(New York World Cablegram—Special Telegram.)—The Spanish government finally decided today, I learn on high Spanish authority, not to send to the European powers at present the memorandum prepared by the duke of Tetuan, the minister of foreign affairs, on the Cuban question and the Monroe doctrine. He sent this afternoon for United States Minister Taylor, with whom he had an interview of two hours' duration, which was marked by cordiality. The Spanish foreign minister reiterated a desire to preserve cordial relations with the United States.

ARTHUR E. BOUGHTON.

Total Eclipse of the Sun. YOKOHAMA, Aug. 10.—The sun's eclipse was clearly visible here and at Tokio. Northward, however, in which direction the astronomers proceeded, the sky was cloudy and observations were impossible.

Rioting Continues in Spain. VALENCIA, Spain, Aug. 10.—The attempts to cause riotous demonstrations against the government continue. This city yesterday was placarded with posters reading, "Long live the Cuban revolution," "Long live the Social Revolution," etc. The placards were removed by the police.

Serious Floods in Colombia. COLOMBIA, Aug. 10.—Serious floods have caused much damage on the Mosquito coast. Several villages have been destroyed and telegraph lines to Groytown and down the Colombian schooner, Pioneer, trading between Colon and Blue Fields, has been lost.

WATERY GRAVE FOR FIVE PERSONS. Small Row Boat Capsizes Within a Short Distance of Shore.

PHILADELPHIA, Aug. 10.—Five persons were drowned last night in the Delaware river opposite Bridgeport, a suburb of this city, by the capsizing of a small row boat.

The victims are: AMELIA HOLMAN, ROSE BREININGER, ROSE BREININGER, all three of this city.

CHARLES MINICK, Cincinnati, O. JOHN R. REXTER, address unknown.

None of the bodies have been recovered, but the men held on to the bottom of the boat for 7 o'clock for a row on the Delaware. They had not gone far before a heavy wind storm came upon them. The men seeing the boat was in danger, they jumped overboard, but had not gone far before the boat was caught in the squal and upset. The women sank out of sight almost immediately, and the two men started out to the boat until their strength gave out.

War on Japanese Steamer Rates. SAN FRANCISCO, Aug. 10.—The Japanese Steamship company, which recently arranged to run a line of steamers between Seattle and the Orient, has opened an office here and began an aggressive warfare against the American Mail and Pacific Mail and Oriental Steamship companies. The passenger rates show an average reduction of 10 per cent as compared with the Pacific Mail.

Financial Worry Causes Suicide. KANSAS CITY, Aug. 10.—Crazed by the ravages of disease and financial worries, Samuel T. Platt, 47 years old, a real estate man and resident of Kansas City for ten years, a partner of J. Scott Harrison during boom days, killed himself at his home here last night by shooting himself in the head with a revolver. The bullet entered the brain just above the right ear and caused instant death.

FORECAST OF TODAY'S WEATHER. Winds in Nebraska Will Blow from a Cooler Quarter Before Night.

WASHINGTON, Aug. 10.—The forecast for Tuesday is: For Nebraska—Generally fair; winds shifting to northwest; cooler Tuesday night.

For Missouri—Generally fair; continued warm; southerly winds Tuesday; there are indications that the warm wave will be the first of the season to reach the upper and central Mississippi valley.

For Iowa—Fairly cloudy weather; probable showers Tuesday night; southerly winds, shifting to west.

For Kansas—Probably fair Tuesday, with continued warm southerly to west winds; cooler Tuesday night.

OFFICE OF THE WEATHER BUREAU. OMAHA, Aug. 10.—Omaha record of temperature and rainfall for the past 24 hours, corresponding day of the past four years:

Maximum temperature, 1886, 1895, 1894, 1893, 1892, 1891, 1890, 1889, 1888, 1887, 1886, 1885, 1884, 1883, 1882, 1881, 1880, 1879, 1878, 1877, 1876, 1875, 1874, 1873, 1872, 1871, 1870, 1869, 1868, 1867, 1866, 1865, 1864, 1863, 1862, 1861, 1860, 1859, 1858, 1857, 1856, 1855, 1854, 1853, 1852, 1851, 1850, 1849, 1848, 1847, 1846, 1845, 1844, 1843, 1842, 1841, 1840, 1839, 1838, 1837, 1836, 1835, 1834, 1833, 1832, 1831, 1830, 1829, 1828, 1827, 1826, 1825, 1824, 1823, 1822, 1821, 1820, 1819, 1818, 1817, 1816, 1815, 1814, 1813, 1812, 1811, 1810, 1809, 1808, 1807, 1806, 1805, 1804, 1803, 1802, 1801, 1800, 1799, 1798, 1797, 1796, 1795, 1794, 1793, 1792, 1791, 1790, 1789, 1788, 1787, 1786, 1785, 1784, 1783, 1782, 1781, 1780, 1779, 1778, 1777, 1776, 1775, 1774, 1773, 1772, 1771, 1770, 1769, 1768, 1767, 1766, 1765, 1764, 1763, 1762, 1761, 1760, 1759, 1758, 1757, 1756, 1755, 1754, 1753, 1752, 1751, 1750, 1749, 1748, 1747, 1746, 1745, 1744, 1743, 1742, 1741, 1740, 1739, 1738, 1737, 1736, 1735, 1734, 1733, 1732, 1731, 1730, 1729, 1728, 1727, 1726, 1725, 1724, 1723, 1722, 1721, 1720, 1719, 1718, 1717, 1716, 1715, 1714, 1713, 1712, 1711, 1710, 1709, 1708, 1707, 1706, 1705, 1704, 1703, 1702, 1701, 1700, 1699, 1698, 1697, 1696, 1695, 1694, 1693, 1692, 1691, 1690, 1689, 1688, 1687, 1686, 1685, 1684, 1683, 1682, 1681, 1680, 1679, 1678, 1677, 1676, 1675, 1674, 1673, 1672, 1671, 1670, 1669, 1668, 1667, 1666, 1665, 1664, 1663, 1662, 1661, 1660, 1659, 1658, 1657, 1656, 1655, 1654, 1653, 1652, 1651, 1650, 1649, 1648, 1647, 1646, 1645, 1644, 1643, 1642, 1641, 1640, 1639, 1638, 1637, 1636, 1635, 1634, 1633, 1632, 1631, 1630, 1629, 1628, 1627, 1626, 1625, 1624, 1623, 1622, 1621, 1620, 1619, 1618, 1617, 1616, 1615, 1614, 1613, 1612, 1611, 1610, 1609, 1608, 1607, 1606, 1605, 1604, 1603, 1602, 1601, 1600, 1599, 1598, 1597, 1596, 1595, 1594, 1593, 1592, 1591, 1590, 1589, 1588, 1587, 1586, 1585, 1584, 1583, 1582, 1581, 1580, 1579, 1578, 1577, 1576, 1575, 1574, 1573, 1572, 1571, 1570, 1569, 1568, 1567, 1566, 1565, 1564, 1563, 1562, 1561, 1560, 1559, 1558, 1557, 1556, 1555, 1554, 1553, 1552, 1551, 1550, 1549, 1548, 1547, 1546, 1545, 1544, 1543, 1542, 1541, 1540, 1539, 1538, 1537, 1536, 1535, 1534, 1533, 1532, 1531, 1530, 1529, 1528, 1527, 1526, 1525, 1524, 1523, 1522, 1521, 1520, 1519, 1518, 1517, 1516, 1515, 1514, 1513, 1512, 1511, 1510, 1509, 1508, 1507, 1506, 1505, 1504, 1503, 1502, 1501, 1500, 1499, 1498, 1497, 1496, 1495, 1494, 1493, 1492, 1491, 1490, 1489, 1488, 1487, 1486, 1485, 1484, 1483, 1482, 1481, 1480, 1479, 1478, 1477, 1476, 1475, 1474, 1473, 1472, 1471, 1470, 1469, 1468, 1467, 1466, 1465, 1464, 1463, 1462, 1461, 1460, 1459, 1458, 1457, 1456, 1455, 1454, 1453, 1452, 1451, 1450, 1449, 1448, 1447, 1446, 1445, 1444, 1443, 1442, 1441, 1440, 1439, 1438, 1437, 1436, 1435, 1434, 1433, 1432, 1431, 1430, 1429, 1428, 1427, 1426, 1425, 1424, 1423, 1422, 1421, 1420, 1419, 1418, 1417, 1416, 1415, 1414, 1413, 1412, 1411, 1410, 1409, 1408, 1407, 1406, 1405, 1404, 1403, 1402, 1401, 1400, 1399, 1398, 1397, 1396, 1395, 1394, 1393, 1392, 1391, 1390, 1389, 1388, 1387, 1386, 1385, 1384, 1383, 1382, 1381, 1380, 1379, 1378, 1377, 1376, 1375, 1374, 1373, 1372, 1371, 1370, 1369, 1368, 1367, 1366, 1365, 1364, 1363, 1362, 1361, 1360, 1359, 1358, 1357, 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344, 1343, 1342, 1341, 1340, 1339, 1338, 1337, 1336, 1335, 1334, 1333, 1332, 1331, 1330, 1329, 1328, 1327, 1326, 1325, 1324, 1323, 1322, 1321, 1320, 1319, 1318, 1317, 1316, 1315, 1314, 1313, 1312, 1311, 1310, 1309, 1308, 1307, 1306, 1305, 1304, 1303, 1302, 1301, 1300, 1299, 1298, 1297, 1296, 1295, 1294, 1293, 1292, 1291, 1290, 1289, 1288, 1287, 1286, 1285, 1284, 1283, 1282, 1281, 1280, 1279, 1278, 1277, 1276, 1275, 1274, 1273, 1272, 1271, 1270, 1269, 1268, 1267, 1266, 1265, 1264, 1263, 1262, 1261, 1260, 1259, 1258, 1257, 1256, 1255, 1254, 1253, 1252, 1251, 1250, 1249, 1248, 1247, 1246, 1245, 1244, 1243, 1242, 1241, 1240, 1239, 1238, 1237, 1236, 1235, 1234, 1233, 1232, 1231, 1230, 1229, 1228, 1227, 1226, 1225, 1224, 1223, 1222, 1221, 1220, 1219, 1218, 1217, 1216, 1215, 1214, 1213, 1212, 1211, 1210, 1209, 1208, 1207, 1206, 1205, 1204, 1203, 1202, 1201, 1200, 1199, 1198, 1197, 1196, 1195, 1194, 1193, 1192, 1191, 1190, 1189, 1188, 1187, 1186, 1185, 1184, 1183, 1182, 1181, 1180, 1179, 1178, 1177, 1176, 1175, 1174, 1173, 1172, 1171, 1170, 1169, 1168, 1167, 1166, 1165, 1164, 1163, 1162, 1161, 1160, 1159, 1158, 1157, 1156, 1155, 1154, 1153, 1152, 1151, 1150, 1149, 1148, 1147, 1146, 1145, 1144, 1143, 1142, 1141, 1140, 1139, 1138, 1137, 1136, 1135, 1134, 1133, 1132, 1131, 1130, 1129, 1128, 1127, 1126, 1125, 1124, 1123, 1122, 1121, 1120, 1119, 1118, 1117, 1116, 1115, 1114, 1113, 1112, 1111, 1110, 1109, 1108, 1107, 1106, 1105, 1104, 1103, 1102, 1101, 1100, 1099, 1098, 1097, 1096, 1095, 1094, 1093, 1092, 1091, 1090, 1089, 1088, 1087, 1086, 1085, 1084, 1083, 1082, 1081, 1080, 1079, 1078, 1077, 1076, 1075, 1074, 1073, 1072, 1071, 1070, 1069, 1068, 1067, 1066, 1065, 1064, 1063, 1062, 1061, 1060, 1059, 1058, 1057, 1056, 1055, 1054, 1053, 1052, 1051, 1050, 1049, 1048, 1047, 1046, 1045, 1044, 1043, 1042, 1041, 1040, 1039, 1038, 1037, 1036, 1035, 1034, 1033, 1032, 1031, 1030, 1029, 1028, 1027, 1026, 1025, 1024, 1023, 1022, 1021, 1020, 1019, 1018, 1017, 1016, 1015, 1014, 1013, 1012, 1011, 1010, 1009, 1008, 1007, 1006, 1005, 1004, 1003, 1002, 1001, 1000, 999, 998, 997, 996, 995, 994, 993, 992, 991, 990, 989, 988, 987, 986, 985, 984, 983, 982, 981, 980, 979, 978, 977, 976, 975, 974, 973, 972, 971, 970, 969, 968, 967, 966, 965, 964, 963, 962, 961, 960, 959, 958, 957, 956, 955, 954, 953, 952, 951, 950, 949, 948, 947, 946, 945, 944, 943, 942, 941, 940, 939, 938, 937, 936, 935, 934, 933, 932, 931, 930, 929, 928, 927, 926, 925, 924, 923, 922, 921, 920, 919, 918, 917, 916, 915, 914, 913, 912, 911, 910, 909, 908, 907, 906, 905, 904, 903, 902, 901, 900, 899, 898, 897, 896, 895, 894, 893, 892, 891, 890, 889, 888, 887, 886, 885, 884, 883, 882, 881, 880, 879, 878, 877, 876, 875, 874, 873, 872, 871, 870, 869, 868, 867, 866, 865, 864, 863, 862, 861, 860, 859, 858, 857, 856, 855, 854, 853, 852, 851, 850, 849, 848, 847, 846, 845, 844, 843, 842, 841, 840, 839, 838, 837, 836, 835, 834, 833, 832, 831, 830, 829, 828, 827, 826, 825, 824, 823, 822, 821, 820, 819, 818, 817, 816, 815, 814, 813, 812, 811, 810, 809, 808, 807, 806, 805, 804, 803, 802, 801, 800, 799, 798, 797, 796, 795, 794, 793, 792, 791, 790, 789, 788, 787, 786, 785, 784, 783, 782, 781, 780, 779, 778, 777, 776, 775, 774, 773, 772, 771, 770, 769, 768, 767, 766, 765, 764, 763, 762, 761, 760, 759, 758, 757, 756, 755, 754, 753, 752, 751, 750, 749, 748, 747, 746, 745, 744, 743, 742, 741, 740, 739, 738, 737, 736, 735, 734, 733, 732, 731, 730, 729, 728, 727, 726, 725, 724, 723, 722, 721, 720, 719, 718, 717, 716, 715, 714, 713, 712, 711, 710, 709, 708, 707, 706, 705, 704, 703, 702, 701, 700, 699, 698, 697, 696, 695, 694, 693, 692, 691, 690, 689, 688, 687, 686, 685, 684, 683, 682, 681, 680, 679, 678, 677, 676, 675, 674, 673, 672, 671, 670, 669, 668, 667, 666, 665, 664, 663, 662, 661, 660, 659, 658, 657, 656, 655, 654, 653, 652, 651, 650, 649, 648, 647, 646, 645, 644, 643, 642, 641, 640, 639, 638, 637, 636, 635, 634, 633, 632, 631, 630, 629, 628, 627, 626, 625, 624, 623, 622, 621, 620, 619, 618, 617, 616, 615, 614, 613, 612, 611, 610, 609, 608, 607, 606, 605, 604, 603, 602, 601, 600, 599, 598, 597, 596, 595, 594, 593, 592, 591, 590, 589, 588, 587, 586, 585, 584, 583, 582, 581, 580, 579, 578, 577, 576, 575, 574, 573, 572, 571, 570, 569, 568, 567, 566, 565, 564, 563, 562, 561, 560, 559, 558, 557, 556, 555, 554, 553, 552, 551, 550, 549, 548, 547, 546, 545, 544, 543, 542, 541, 540, 539, 538, 537, 536, 535, 534, 533, 532, 531, 530, 529, 528, 527, 526, 525, 524, 523, 522, 521, 520, 519, 518, 517, 516, 515, 514, 513, 512, 511, 510, 509, 508, 507, 506, 505, 504, 503, 502, 501, 500, 499, 498, 497, 496, 495, 494, 493, 492, 491, 490, 489, 488, 487, 486, 485, 484, 483, 482, 481, 480, 479, 478, 477, 476, 475, 474, 473, 472, 471, 470, 469, 468, 467, 466, 465, 464, 463, 462, 461, 460, 459, 458, 457, 456, 455, 454, 453, 452, 451, 450, 449, 448, 447, 446, 445, 444, 443, 442, 441, 440, 439, 438, 437, 436, 435, 434, 433, 432, 431, 430, 429, 428, 427, 426, 425, 424, 423, 422, 421, 420, 419, 418, 417, 416, 415, 414, 413, 412, 411, 410, 409, 408, 407, 406, 405, 404, 403, 402, 401, 400, 399, 398, 397, 396, 395, 394, 393, 392, 391, 390, 389, 388, 387, 386, 385, 384, 383, 382, 381, 380, 379, 378, 377, 376, 375, 374, 373, 372, 371, 370, 369, 368, 367, 366, 365, 364, 363, 362, 361, 360, 359, 358, 357, 356, 355, 354, 353, 352, 351, 350, 349, 348, 347, 346, 345, 344, 343, 342, 341, 340, 339, 338, 337, 336, 33